

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No.: 2229

Melvin S. MOGIL

Art Unit: 3744

Application No.: 10/642,211

Examiner: Muhammad M. ALI

Filed: August 18, 2003

Docket No.: 027699-00005

For: DIVIDED INSULATED CONTAINER

**PETITION TO ACCEPT A DELAYED CLAIM TO PRIORITY UNDER 35 U.S.C. § 120**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

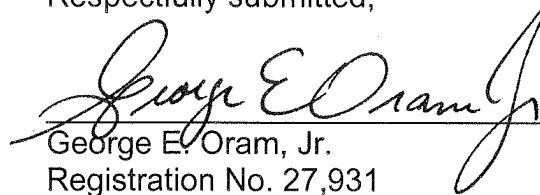
Date: January 18, 2008

Sir:

Applicant petitions for the acceptance of a delayed claim to priority under 35 U.S.C. § 120. The entire delay between the date the claim was due (December 18, 2003) and today, the date the claim is properly being filed by way of a concurrent amendment, was unintentional. The necessary surcharge of \$1410.00 under 37 C.F.R. § 1.17(t) is being paid concurrently.

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referencing our docket number 027699-00005.

Respectfully submitted,

  
George E. Oram, Jr.  
Registration No. 27,931

Customer No. 004372  
ARENT FOX LLP  
1050 Connecticut Avenue, NW  
Suite 400  
Washington, DC 20036-5339  
Telephone: 202-857-6000  
Fax: 202-638-4810